GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

STARRED QUESTION NO:255
ANSWERED ON:31.07.2002
TRADING OF HUMAN ORGANS
KINJARAPU YERRANNAIDU;SUNIL KHAN

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government are aware that illegal trading of human organs particularly kidneys, are on the rise in the country;

(b) if so, the number of such cases reported during each of the last three years; and

(c) the action taken by the Government to stop this menace?

Answer

MINISTER OF HEALTH AND FAMILY WELFARE (SHRI SHATRUGHAN SINHA)

(a) to (c) : A statement is laid on the table of the Lok Sabha.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 255 FOR ANSWER ON 31.7.2002

The Transplantation of Human Organs Act was enacted on 8th July, 1994 to provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs and for matters connected therewith or incidental thereto. The said Act is applicable in the whole of the States of Goa, Maharashtra and Himachal Pradesh and all the Union Territories. It has been adopted/enacted by all the States except Bihar and Jharkhand. Under Section 18 to 23 of the said Act, necessary provisions have been made to check such trade of human organs. Further, under Section 13(2) of the Transplantation of Human Organ Act, 1994, the State Governments are empowered to appoint by a notification one or more officers as Appropriate Authorities for the purpose of the Act. Sale and purchase of human organs including kidney is banned under the provisions of the Transplantation of Human Organ Act, 1994. The Act has provisions for punishing any one who commits such acts. The information relating to incidents involving the selling of human organs which is against the provisions and punishable under the said Act should be available with the State Government(s) concerned in whose jurisdiction the offence takes place. The Director General of Health Services has been appointed as the Appropriate Authority in respect of all the Union Territories including the N.C.T. of Delhi. Two cases of people selling their kidneys pertaining to Delhi have come to the notice during last three years.